



**Kipkirui v Republic (Criminal Miscellaneous Application
E137 of 2025) [2025] KEHC 15989 (KLR) (7 November 2025) (Ruling)**

Neutral citation: [2025] KEHC 15989 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
CRIMINAL MISCELLANEOUS APPLICATION E137 OF 2025**

**A MABEYA, J
NOVEMBER 7, 2025**

BETWEEN

VINCENT KIPKIRUI APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. On 25/3/2025, the applicant was convicted of the offence of rape contrary to section 3(1) (a) (c) (3) of the *Sexual Offences Act*. He was sentenced to 15 years' imprisonment.
2. After 4 months, the applicant came to Court on 18/7/2025 applying for leave to file an appeal out of time. Although there has been unreasonable and inordinate delay, the Court has considered that the applicant has been in custody throughout that period. He may not have been accorded facilities for legal representation.
3. Further, the sentence is severe and the State is not opposed to the extension of time sought.
4. In view thereof, I allow the application dated 18/7/2025. The applicant is granted leave to file a Petition of Appeal within 30 days of today.
5. This file is marked as closed.

It is so ordered.

DATED AND DELIVERED AT KISUMU THIS 7TH DAY OF NOVEMBER, 2025.

A. MABEYA, FCI Arb

JUDGE

